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JS 44C/SDNY REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filling and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

DI AINITIEES			DEFENDANTS				
PLAINTIFFS			DEFENDANTS				
Securities Investor Protection Corporation			Bernard L. Madoff Investment Securities LLC				
ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER			ATTORNEYS (IF KNOWN)				
Becker & Poliakoff, L 212-559-3322, Attorr	.LP, 45 Broadway, N neys for Appellants	Y, NY 10006	Baker & Hostetler LLP, 45 Rockefeller Plaza, NY, Ny 10111 Attorneys for Trustee				
			LING AND WRITE A BRIEF S	TATEMENT OF CAUSE)			
•		. STATUTES UNLESS DIVER	tions for fees and exp	oness of Trustoe on	d his coupsel		
20 030 130, app		типа инени аррисат	lions for fees and exp		Oaniels (1st Fee Application		
Has this or a similar case	been previously filed in S	DNY at any time? No?	Yes? 🔽 Judge Previou	usly Assigned Hon. Judge is	Batts (2nd Fee Application) Scheindlin (3rd Fee Applicat		
f ves. was this case Vol.	☐ Invol. ☐ Dismissed.	No☑ Yes ☑ If ves.	lst App: dismisse give date 2nd App: still pe give date 3rd App. dismiss	ed on 1/11/10	M-47		
				#40 OD 8/6/10			
(PLACE AN [x] IN ONE B	OX ONLY)	NATURE	OF SUIT		_		
			AC	TIONS UNDER STATUTES			
	TORTS		FÖRFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	[]610 AGRICULTURE []620 OTHER FOOD & DRUG	X 422 APPEAL 28 USC 158 [] 423 WITHDRAWAL	[]400 STATE REAPPORTIONMENT []410 ANTITRUST		
1110 INSURANCE 120 MARINE 130 MILLER ACT 140 NEGOTIABLE INSTRUMENT 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT 1512 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS) 163 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS 140 STOCKHOLDERS SUITS 140 STOCKHOLDERS SUITS 1490 OTHER CONTRACT LIABILITY 1916 FRANCHISE REAL PROPERTY 210 LAND CONDEMNATION 1220 FORECLOSURE 1230 RENT LEASE & EJECTMENT 1240 TORTS TO LAND 1245 TORT PRODUCT LIABILITY 1290 ALL OTHER REAL PROPERTY	I 315 AIRPLANE PRODUCT LIABILITY [320 ASSAULT, LIBEL & SLANDER [] 330 FEDERAL EMPLOYERS' LIABILITY [] 340 MARINE [] 345 MOTOR VEHICLE MOTOR VEHICLE PRODUCT LIABILITY [] 350 MOTOR VEHICLE I 355 MOTOR VEHICLE PRODUCT LIABILITY [] 360 OTHER PERSONAL INJURY ACTIONS UNDER STATUTES CIVIL RIGHTS [] 441 VOTING [] 442 EMPLOYMENT [] 443 HOUSING/	MED MALPRACTICE 365 PERSONAL INJURY PRODUCT LIABILITY 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY 370 OTHER FRAUD 371 TRUTH IN LENDING 380 OTHER PERSONAL PROPERTY DAMAGE 385 PROPERTY DAMAGE 385 PROPERTY DAMAGE PRODUCT LIABILITY PRISONER PETITIONS 510 MOTIONS TO VACATE SENTENCE 20 USC 2255 530 HABEAS CORPUS 535 DEATH PENALTY 540 MANDAMUS & OTHER 550 CIVIL RIGHTS	[] 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881 [] 630 LIQUOR LAWS [] 650 AIRLINE REGS COCUPATIONAL SAFETY/HEALTH OTHER STANDARDS ACT [] 710 FAIR LABOR STANDARDS ACT [] 720 LABOR/MGMT REPORTING & DISCLOSURE ACT [] 740 AIRLIWAY LABOR ACT [] 790 OTHER LABOR ITIGATION [] 791 EMPL RET INC SECURITY ACT IMMIGRATION APPLICATION	28 USC 157 PROPERTY RIGHTS [] 820 COPYRIGHTS [] 830 PATENT [] 840 TRADEMARK SOCIAL SECURITY [] 861 HIA (1396ff) [] 862 BLACK LUNG (923) [] 863 BUWC/DIWW (405(g)) [] 864 SSID TITLE XVI [] 885 RSI (405(g)) FEDERAL TAX SUITS [] 870 TAXES (U.S. Plaintiff or Defendent) [] 871 IRST-THIRD PARTY 26 USC 7609	[] 430 BANKS & BANKING [] 450 COMMERCE [] 460 DEPORTATION [] 1470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT [] 480 CONSUMER CREDIT [] 490 CABLE/SATELLITE TV [] 810 SELECTIVE SERVICE [] 850 SECURITIES/ COMMODITIES/ EXCHANGE [] 875 CUSTOMER CHALLENGE 12 USG 3410 [] 891 AGRIGULTURAL ACTS [] 891 AGRIGULTURAL ACTS [] 892 ECONOMIC STABILIZATION ACT		
Check if demanded	l in complaint:				<u> </u>		
CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23		IF SO, STATE:	IF SO, STATE:		D TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?		
DEMAND \$	OTHER	JUDGE Hon.	Judge Batts	DOCKET NUM	BER M-47		

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(PLACE AN x IN C	NE BOX ONLY)	C	ORIGIN	·	
1 Original Proceeding	☐ 2a. Removed from State Court ☐ 2b.Removed from State Court AND at feast one party is pro se.	☐ 3 Remanded from ☐ 4 R Appellate Court R	einstated or 5	Transferred from [(Specify District)	6 Multidistrict 7 Appeal to District Litigation Judge from Magistrate Judge Judgment
(PLACE AN x IN C	<u> </u>		JURISDICTION		IF DIVERSITY, INDICATE
1 U.S. PLAINTI	FF 2 U.S. DEFEN	DANT 3 FEDERAL QUE (U.S. NOT A PA		VERSITY	CITIZENSHIP BELOW. (28 USC 1322, 1441)
	CITIZENS	HIP OF PRINCIPAL PAR	RTIES (FOR DIVE	ERSITY CASE	S ONLY)
(Place an [X	in one box for Plaintiff a	and one box for Defendant)			
CITIZEN OF THIS STA	PTF DEF TE []1 []1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF []3 []3		PTF DEF TED <u>and</u> PRINCIPAL PLACE []5 []5 S IN ANOTHER STATE
CITIZEN OF ANOTHER	R STATE []2 []2	INCORPORATED <u>of</u> PRINCIPAL OF BUSINESS IN THIS STATE		FOREIGN NA	TION []6 {]6
PLAINTIFF(S) AD	DRESS(ES) AND CO	UNTY(IES)		,	
Securities Invest	tor Protection Corpo	oration, 805 Fifteenth Stre	eet, N.W., Suite 8	300, Washingto	on D.C. 2005
Appellants: Diane and Roge	r Peskin, 51 East W	/all St., Bethlehem, PA 1	8018		
DEFENDANT(S)	ADDRESS(ES) AND	COUNTY(IES)			
Bernard L. Mado c/o Irving H. Pica Baker & Hostetle 45 Rockefeller F New York, NY 1	er, LLP Plaza	rities LLC			
REPRESENTÁT	ADDRESS UNKNOW TON IS HEREBY MADE ESSES OF THE FOLLO	THAT, AT THIS TIME, I HAVE	E BEEN UNABLE, W	TH REASONABL	E DILIGENCE, TO ASCERTAIN THE
		D BE ASSIGNED TO:	☐ WHITE PL	_AINS [☑	MANHATTAN
· ·	SIGNATURE OF ATT		ΩΑ [] [x]		ACTICE IN THIS DISTRICT MITTED Mo. 12 Yr) #4266
Maniaturis India	o io to be due!	d by the Clark at the C			
-	-	d by the Clerk of the Cou		is	so Designated.
		Deputy C			_
		NEW YORK SOUTHERN)			